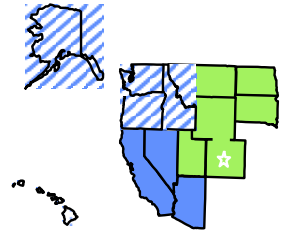




# US Army Environmental Center Western Regional Environmental Office REGION 10 – DECEMBER 2002 **WESTERN REGION REVIEW**



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 10 area: Alaska, Idaho, Oregon and Washington. We appreciate your feedback & encourage you to submit suggestions for future discussion. Please contact Marius Gedgaudas at the Western Regional Environmental Office, U.S. Custom House, 721 19<sup>th</sup> Street, Room 427, Denver, CO 80202-2500, phone (303) 844-0954, fax (303) 844-0951, or email [mgedgaud@rma.army.mil](mailto:mgedgaud@rma.army.mil)

## **WREO STAFF**

Gerald Owens  
Regional Chief/DoD REC Region 8  
(303) 844-0953  
[gowens@rma.army.mil](mailto:gowens@rma.army.mil)

Regional Counsel  
(303) 844-0955

Tim Blume  
Army REC Region 8  
(303) 844-0958  
[tblume@rma.army.mil](mailto:tblume@rma.army.mil)

Mark Mahoney  
Army REC Region 9  
(303) 844-0957  
[mmahoney@rma.army.mil](mailto:mmahoney@rma.army.mil)

Mike Flannery  
Army REC Region 10  
(including Hawaii & Pacific)  
(303) 844-0959  
[mflanner@rma.army.mil](mailto:mflanner@rma.army.mil)

Project Manager  
(303) 844-0952

Environmental Specialist  
(303) 844-0954

Administrative Assistant (Acting)  
(303) 844-0950

## **Regional Environmental Coordinator (REC) Contacts**

DoD REC Region 10  
Clare Mendelsohn  
(415) 977-8849  
[Clare.Mendelsohn@brooks.af.mil](mailto:Clare.Mendelsohn@brooks.af.mil)

Army REC Region 10  
Mike Flannery  
(303) 844-0959  
[mflanner@rma.army.mil](mailto:mflanner@rma.army.mil)

Navy REC Region 10  
Hayden Street  
(360) 396-5089  
[hayden.street@subase.nsb.navy.mil](mailto:hayden.street@subase.nsb.navy.mil)

Air Force REC Region 10  
William Chin  
(415) 977-8847  
[William.Chin@brooks.af.mil](mailto:William.Chin@brooks.af.mil)

DLA REC Region 10  
James Phillips  
(616) 961-7322 (DSN 932 - 7322)  
[jphillips@drms.dla.mil](mailto:jphillips@drms.dla.mil)

## **DID YOU KNOW?**

- The electronic version of the Western Region Review has been enhanced to increase ease in navigating through the document. Simply "click" on a topic in the table of contents and go directly to that section – to return to the top of the section click "top of section" - and to return to the top of document click "top of review". In addition, the agency emblems/logos and state flags hyperlink directly to the website – simply click and you are on your way.

## **TABLE OF CONTENTS**

<b>Federal News &amp; Regulatory Developments</b>	2-3
<b>Conferences, Symposiums, &amp; Training</b>	4-5
<b>Alaska</b>	6
<b>Idaho</b>	7
<b>Oregon</b>	7- 8
<b>Washington</b>	9



## FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



### ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

#### AIR INFORMATION:

##### **FINAL RULE – CONTROL OF EMISSIONS FROM NONROAD LARGE SPARK-IGNITION ENGINES AND RECREATIONAL ENGINES**

- On 8 November 2002 (67 FR 68241), EPA adopted emission standards for several groups of nonroad engines that have not been subject to EPA emission standards. These engines are large spark-ignition engines such as those used in forklifts and airport ground-service equipment, recreational vehicles using spark-ignition engines such as off-highway motorcycles, all-terrain vehicles and snowmobiles, and recreational marine diesel engines. Nationwide, these engines and vehicles cause or contribute to ozone, carbon monoxide, and particulate matter nonattainment, as well as other types of pollution impacting human health and welfare. Overall, the gasoline-equivalent fuel savings associated with the anticipated changes in technology resulting from this rule are estimated to be about 800 million gallons per year once the program is fully phased in. Health and environmental benefits are estimated to be approximately \$8 billion per year. This rule will be effective 7 January 2003. For further information, contact Alan Staut, EPA at (734) 214-4805.

##### **DIRECT FINAL RULE –REVISION OF NESHP FOR BENZENE WASTE OPERATIONS**

- On 12 November (67 FR 68526), EPA took direct final action to amend the national emission standards for hazardous air pollutants (NESHP) for benzene waste operations. The amendments add an exemption for organic vapors routed to the fuel gas system and a new compliance option for tanks, and clarify the standards for containers. The amendments will be effective on 10 February 2003 without further notice, unless adverse comments are received by 12 December 2002. If EPA receives adverse comments, it will publish a timely withdrawal of the direct final rule in the Federal Register and inform the public that the rule will not take effect. For further information, contact Robert Lucas, EPA at (919) 541-0884.

##### **NOTICE – REVISION OF HAZARDOUS AIR POLLUTANT SOURCE CATEGORY LIST**

- On 8 November 2002 (67 FR 68124), EPA removed five area source categories of hazardous air pollutants (asphalt hot-mix production, fabricated metal products, paint and allied products, paper coated and laminated, packaging and transportation equipment manufacturing) from the list developed under section 112(c)(6) of the Clean Air Act. It also removed an additional area source category, Open Burning of Scrap Tires, from the anthropogenic stationary source categories included in the inventory analysis for section 112(c)(6) and 112(k). Consequently, that source category will no longer be a candidate for regulation. The revisions have not been reflected in any previous notices and are being made without public comment on the Administrator's own motion. Such revisions are deemed by EPA to be without need for public comment. The revisions were effective 8 November 2002. For further information, contact Barbara Driscoll, EPA at (919) 541-1051.

##### **NOTICE – ADDITIONS TO HAZARDOUS AIR POLLUTANT AREA SOURCE CATEGORY LIST**

- On 22 November 2002 (67 FR 70427), EPA added 23 area source categories of hazardous air pollutants (HAP) to the previous lists developed under the Integrated Urban Air Toxics Strategy. With the addition of these categories, the requirement to identify and list area source categories representing at least 90 percent of the emissions of the 30 "listed" (or area source) HAP under section 112(c)(3) and 112(k)(3)(B)(ii) of the Clean Air Act is fulfilled. These revisions to the list of area sources have not been reflected in any previous notices and are being made without public comment on the Administrator's own

motion. Such revisions are deemed by EPA to be without need for public comment. The revisions were effective 22 November 2002. For further information, contact Barbara Driscoll, EPA at (919) 541-1051.

### **WASTE INFORMATION:**

**PROPOSED RULE – RCRA TESTING AND MONITORING REQUIREMENTS** – On 30 October 2002 (67 FR 66251), EPA proposed to amend a variety of testing and monitoring requirements throughout the Resource Conservation and Recovery Act (RCRA) regulations. The amendments would allow more flexibility when conducting RCRA-related sampling and analysis, by removing unnecessary required uses of methods found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," also known as "SW-846." EPA also proposed to: 1) withdraw the reactivity method guidelines from SW-846 Chapter Seven; 2) amend the ignitability and corrosivity hazardous waste characteristic regulations by clarifying the use of certain methods; 3) incorporate by reference Update IIIB to SW-846; 4) add Method 25A for analyses conducted in support of certain RCRA air emission standards; and 5) remove a confidence limit requirement for certain feedstream analyses conducted under the National Emission Standards for Hazardous Air Pollutants. In addition, EPA announced the availability of a new guidance document entitled "RCRA Waste Sampling Draft Technical Guidance." The new guidance will update and replace Chapter Nine of SW-846. Comments are due by 30 December 2002. For further information, contact Kim Kirkland, EPA at (703) 308-8855, or link [http://www.epa.gov/epaoswer/hazwaste/test/samp\\_guid.htm](http://www.epa.gov/epaoswer/hazwaste/test/samp_guid.htm).

### **WATER INFORMATION:**

**FINAL RULE – WHOLE EFFLUENT TEST METHODS** – On 19 November 2002 (67 FR 69951), EPA finalized several test procedures for measuring the toxicity of effluents and receiving waters. The test procedures are commonly referred to as whole effluent toxicity or WET test methods. EPA also withdrew two WET test methods from the list of nationally-approved biological test procedures for the analysis of pollutants. EPA also revised some of the WET test methods to improve performance and increase confidence in the reliability of the results. The rule is effective 22 December 2002. For further information, contact Marion Kelly, EPA at (202) 566-1045.

**FINAL IMPLEMENTATION GUIDANCE – RADIONUCLIDES IN DRINKING WATER** – EPA has issued the "Final Implementation Guidance for Radionuclides in Drinking Water (EPA 816-F-00-002)." The guidance contains an explanation of monitoring requirements, violation determination, and data reporting. It is available at [http://www.epa.gov/ogwdw000/rads/final\\_rads\\_implementation\\_guidance.pdf](http://www.epa.gov/ogwdw000/rads/final_rads_implementation_guidance.pdf). A quick reference document is available at <http://www.epa.gov/ogwdw000/rads/quickguide.pdf>.

[\[TOP OF SECTION\]](#)

[\[TOP OF REVIEW\]](#)



## **UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS**

### **HAZARDOUS MATERIALS INCIDENT RESPONSE OPERATIONS**

**16-20 December 2002 – Toyeyi, Arizona**

This EPA/ERTP course is designed for personnel involved with the investigation and remediation of uncontrolled hazardous waste sites and response to an accident involving hazardous materials. It provides basic information needed to meet the requirements of 29 CFR 1910.120 (Hazardous Waste Operations and Emergency Response). For more information or registration, link <http://www.trainex.org>.

### **ENVIRONMENTAL NEGOTIATION WORKSHOP**

**7-9 January 2003 – Honolulu, Hawaii**

**18-20 March 2003 – Silverdale, Washington**

The Naval School, Civil Engineer Corps Officers, is presenting this workshop at no cost to DoD personnel. The workshop provides instruction on the negotiating and communication skills necessary to establish productive relationships and achieve beneficial agreements with regulatory and public stakeholders. It stresses the interpersonal, organizational and public interaction aspects of negotiation in environmental decision-making. This course is intended for DoD and civilian personnel involved in Regulatory Compliance, Installation Restoration, Planning, Natural Resources and Base Realignment and Closure who have decision-making roles with regulatory agencies and the public. For more information or registration, link <https://www.cecos.navy.mil/>.

### **EPA UXO TRAINING COURSE**

**28-30 January 2003 – San Francisco, California**

This course provides an overview of technical training essential to project managers involved in the investigation and cleanup of ordnance and explosives at ranges, ammunition depots, storage areas and manufacturing sites. The Systematic Planning Process is emphasized as a model for project planning. For more information or to register, contact Margaret Clark at (703) 642-6847, or e-mail: [clarkmar@versar.com](mailto:clarkmar@versar.com).

### **HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE**

**28-30 January 2003 – Monterey, California**

The Navy School, Civil Engineers Corps Officers, is offering this DoD Interservice Environmental Education Review Board course. The course is tuition-free to DoD and civil service employees and contractors. The course description and on-line registration are available at <https://www.cecos.navy.mil>.

### **SUPER ENERGY SAVINGS PERFORMANCE CONTRACTING WORKSHOP**

**25-26 February 2003 – San Francisco, California**

**20-21 May 2003 – Indianapolis, Indiana**

**22-23 July 2003 – Washington, DC**

The U.S. Department of Energy, Federal Energy Management Program, is presenting this free workshop for federal employees involved in energy management, engineering, and procurement. Attendees will learn how to lower capital costs while reducing long-term energy and water bills. For more information or to register, call (703) 243-8343.

**ARMY ENVIRONMENTAL TRAINING WORKSHOP****23-28 March 2003 – Kansas City, Missouri**

The Army Training and Doctrine Command (TRADOC) and the Army Environmental Center (AEC) are sponsoring this workshop, which will consist of numerous environmental short courses and seminars. It is intended to provide: 1) awareness and training in Army environmental programs; 2) preparation for the new installation management business models, such as TIM and EMS; and 3) opportunities for installation staff to obtain program updates and share lessons learned. For more information, contact Susan West, TRADOC at (757) 788-2279, e-mail: [wests@Monroe.army.mil](mailto:wests@Monroe.army.mil), or Susan Thomas, AEC at (410) 436-6899, e-mail: [Susan.Thomas@aec.apgea.army.mil](mailto:Susan.Thomas@aec.apgea.army.mil).

**29<sup>th</sup> ENVIRONMENTAL AND ENERGY SYMPOSIUM****7-10 April 2003 – Richmond, Virginia**

This symposium is sponsored by the National Defense Industrial Association, Environment and Energy Division, in cooperation with the Deputy Under Secretary of Defense for Installations and Environment, the Defense Logistics Agency, EPA and DOE. It will provide a national forum for the exchange of technical information, government policy, regulations, programs and laws, and new ideas on environmental and energy issues and areas of concern. For more information, contact Derek Jenks at [djenks@ndia.org](mailto:djenks@ndia.org) or link <http://register.ndia.org/interview/register.ndia?~Brochure~3440>.

**NATIONAL POLLUTION PREVENTION ROUNDTABLE SPRING CONFERENCE****8-11 April 2003 – Louisville, Kentucky**

The Pollution Prevention (P2) Roundtable will bring together pollution prevention practitioners and experts to share the latest in policy, regulatory, and technical information. The meeting will feature special tracks on Environmental Management Systems and P2, international sustainability policy discussions as a follow-up to the World Summit, and P2's role in addressing global climate change challenges. For more information, link <http://www.p2.org/events/spring2003/>.

**REAL WORLD CLEAN AIR SYMPOSIUM****19-22 May 2003 – Seattle, Washington**

This event will be sponsored by the U.S. Army Forces Command, Hill Air Force Base, Fort Irwin, and the West Coast Section, Air and Waste Management Association, with support from the Army Training and Doctrine Command, the Army Environmental Center, and EPA. Topics to be addressed include installation sustainability, Environmental Management Systems, installation air program management, pollution prevention, and homeland security. For more information, contact Michelle Kubal at (937) 254-7950, ext. 1168, e-mail [mkubal@anteon.com](mailto:mkubal@anteon.com), or link <http://www.usasymposium.com>.

**11<sup>th</sup> ANNUAL GLOBAL DEMILITARIZATION SYMPOSIUM****19-22 May – Sparks, Nevada**

The Joint Ordnance Commanders Group and the National Defense Industrial Association are presenting this symposium to support DoD in efforts directed at reducing the stockpile of excess and obsolete munitions. Topics include ongoing disposal, recycling and reuse programs, research and development efforts, transitioning technologies, and the latest policy issues. For more information, contact Paul Cole at (918) 420-8823, or link <http://www.ndia.org/events/brochure/3580/>.

The US Army Corps of Engineers Professional Development Support Center has released its FY 03 training course schedule. Environmental courses include: Clean Air Act Workshop, CERCLA/RCRA Remediation Processes, Environmental Impact Assessment, and Environmental Regulatory Practical Application. The schedule is available at: <http://pdsc.usace.army.mil/CourseScheduleNewFY.asp>.

The fiscal year 2003 schedule for the Air Force Institute of Technology Training courses is available at: <http://cess.afit.edu>. Environmental courses include: Introduction to Environmental Management, Air Quality Management, Environmental Compliance Assessment, Hazardous Waste Management, and Pollution Prevention Program Operations.

[\[TOP OF SECTION\]](#)[\[TOP OF REVIEW\]](#)



## STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



### ALASKA

#### Regulatory Developments & Other State Information

**ALASKA FORUM ON THE ENVIRONMENT – 10-14 FEBRUARY 2003** – The agenda for the Alaska Forum on the Environment, to be held at the Egan Convention Center in Anchorage, is being developed. To submit items for the agenda, contact Kurt Eilo at (907) 271-3412, e-mail: [eilo.kurt@epa.gov](mailto:eilo.kurt@epa.gov), or Angie Santa Ana at (907) 271-2367. For more information about the Forum, link <http://www.akforum.com>.

#### WATER INFORMATION:

**FINAL REGULATION – CONTINGENCY PLANS FOR SELF-PROPELLED NONTANK VESSELS** – The Alaska Department of Environmental Conservation (DEC) has completed rulemaking to implement S.B. 16 (2001). This law requires contingency plans for all self-propelled nontank vessels exceeding 400 gross registered tonnage operating in Alaska waters or on the Alaskan Railroad. DEC met with stakeholders to start a scoping process to identify outstanding issues associated with implementation. The amendments include: (1) application requirements and fees for the registration of nontank vessel cleanup contractors, incident management teams, and response planning facilitators; (2) a streamlined plan approval for some nontank vessel operations; (3) recognition program for nontank vessels that take extra prevention measures; and (4) proof of financial responsibility requirements for all operators required to have contingency plans. The rule was effective 27 November 2002. For more information, contact Edward Collazzi at (907) 465-5229, or link <http://www.state.ak.us/dec/title18/wpfiles/nontankfinal.pdf>.

**FINAL REGULATION – CONTINGENCY PLANS FOR RAILROAD TANK CARS** – The Alaska DEC has adopted contingency plan requirements for railroad tank cars. The regulation will be effective 14 December 2002. For more information, contact Edward Collazzi at (907) 465-5229, or link <http://www.state.ak.us/dec/title18/proposed/75rropn.pdf>.

#### Legislative Developments:

**The Alaska Legislature adjourned 21 May. The environmental bills that were tracked during the session were summarized in the July Review. For additional information on the 2002 legislative session, link <http://www.legis.state.ak.us/>. The 2003 legislative session will begin 21 January.**

[\[TOP OF SECTION\]](#)

[\[TOP OF REVIEW\]](#)





## IDAHO

---

### Regulatory Developments & Other State Information

No significant regulatory information to report.

### Legislative Developments

The Idaho legislature adjourned 15 March. The environmental bills that were tracked during the session were summarized in the May Review. For more information on the 2002 legislative session, link <http://www2.state.id.us/legislat/>. The 2003 legislative session will begin 6 January.



## OREGON

---

### Regulatory Developments & Other State Information

**FINAL REGULATION – FORESTLAND-URBAN INTERFACE FIRE PROTECTION** – The Oregon Department of Forestry has adopted regulations regarding forestland-urban interface fire protection. The amendments include: (1) criteria for identifying and classifying lands; (2) establishment of standards with which landowners are to comply; and (3) processes for written evaluations, certification, and collection of special assessments. The regulations were effective 15 November 2002. For more information, contact Gayle Birch at (503) 945-7210, or link [http://arcweb.sos.state.or.us/rules/1102\\_Bulletin/1102\\_ch629\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1102_Bulletin/1102_ch629_bulletin.html).

**FINAL REGULATION – CONTESTED CASE HEARINGS** – The Oregon Department of Environmental Quality (DEQ) has amended its administrative procedures to allow corporations, partnerships, limited liability companies, unincorporated associations, trusts, and government bodies to appoint an authorized representative to appear on their behalf at a contested case hearing. Without this amendment, these entities would have needed to be represented by an attorney. The amendment was effective 8 October 2002. For more information, contact Jane Hickman at (503) 299-5555, or link [http://arcweb.sos.state.or.us/rules/1102\\_Bulletin/1102\\_ch340\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1102_Bulletin/1102_ch340_bulletin.html).

**PROPOSED REGULATION – NOXIOUS WEED QUARANTINE** – The Oregon Department of Agriculture has proposed to amend its list of noxious weeds subject to quarantine. The amendment will remove the following plants from the list: (1) featherheaded knapweed (*Centaurea trichocephala*); (2) bulbous goatgrass (*Aegilops ventricosa*); (3) Tausch's goatgrass (*Aegilops tauschii*); (4) Lepyroclis (*Lepyrodiclis holosteoides*); (5) wild safflower (*Carthamus oxycantha*); (6) whitestem distaff thistle (*Carthamus leucocaulos*); and (7) big headed knapweed (*Centaurea macrocephala*). The amendment will add the following plants to the list: (1) common bugloss (*Anchusa officinalis*); (2) cutleaf teasel (*Dipsacus laciniatus*); (3) false brome (*Brachypodium sylvaticum*); (4) old man's beard (*Clematis vitalba*); and (5) European water chestnut (*Trapa natans*). Comments were due 1 December 2002. For more information, contact Sherry Kudna at (503) 986-4619, or link [http://arcweb.sos.state.or.us/rules/1102\\_Bulletin/1102\\_rulemaking\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1102_Bulletin/1102_rulemaking_bulletin.html).

**AIR INFORMATION:****FINAL REGULATION – PM10 ATTAINMENT DESIGNATION FOR GRANTS PASS AND KLAMATH FALLS**

The Oregon DEQ has designated Klamath Falls and Grants Pass as attainment areas for the standards for particulate matter 10 microns (PM10) or greater in size. DEQ also adopted the required maintenance plan for the two new attainment areas. The Grants Pass PM10 Maintenance Plan: (1) expands the voluntary woodstove curtailment measure to cover a larger area; (2) expands the open burning measure to cover a larger area; (3) replaces lowest achievable emission rate with the best available control technology for new and expanding industries; (4) allows exemptions for offsets; and (5) replaces the Build/No Build test with the more flexible emissions budget test for determining transportation conformity. The Klamath Falls Maintenance Plan: (1) provides more protective curtailment calls for its mandatory woodstove curtailment; (2) prohibits wood as a sole source of heat in nonowner-occupied dwellings; (3) provides for a 30-day open burning window (spring and fall) on Green Days; (4) expands the air quality control area; (5) provides for a larger emission budget for determining transportation conformity; (6) establishes a forest burning 20-mile special protection zone and voluntary smoke management program; and (7) replaces lowest achievable emission rate with the best available control technology for new and expanding industries. The regulations were effective 8 October 2002. For more information, contact Annette Liebe at (503) 229-6919, or link

[http://arcweb.sos.state.or.us/rules/1102\\_Bulletin/1102\\_ch340\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1102_Bulletin/1102_ch340_bulletin.html).

**FINAL REGULATION – REVISIONS TO DRY CLEANING RULES** – The Oregon DEQ has adopted rules to implement amendments made to the dry cleaner statute during the 2001 Legislative session. The dry cleaner statute requires dry cleaners to practice certain "waste minimization" practices and install equipment to prevent future releases of dry cleaning solvent into the environment. The rules: (1) clarify that the dry cleaner property owner's liability protection is dependent on the dry cleaning operator being in compliance with the requirements of the law; (2) specify "waste minimization" requirements; and (3) provide a process for inactive dry cleaning facilities to receive funding from the Dry Cleaner Environmental Response Account by applying to DEQ for listing and pay annual fees. The rules were effective 8 October 2002. For more information, contact Loretta Pickerell at (503) 229-5445, or link

[http://arcweb.sos.state.or.us/rules/1102\\_Bulletin/1102\\_ch340\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1102_Bulletin/1102_ch340_bulletin.html).

**WASTE INFORMATION:**

**FINAL REGULATION – DESIGNATION OF KLAMATH RIVER AS SCENIC** – The Oregon Department of Parks and Recreation has classified the eleven-mile segment of the Klamath River designated as a state scenic waterway. The classification is based on the existing zoning and land uses and prescribes standards and guidelines for future land use actions for the private and non-federal related adjacent lands. Since 1988, regulation of development, improvement and alteration of private and non-federal public lands adjacent to the Klamath River has been under an interim classification codified in OAR 736-040-0044(4). The adopted proposal will delete this interim classification. The classification was effective 3 October 2002. For more information, contact Luanne Lafky at (503) 378-4168, ext. 304, or link

[http://arcweb.sos.state.or.us/rules/1102\\_Bulletin/1102\\_ch736\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1102_Bulletin/1102_ch736_bulletin.html)

**Legislative Developments**

Oregon did not have a regular legislative session in 2002. For detailed information on Oregon's 2001 legislative session, link <http://www.leg.state.or.us>. **The 2003 legislative session will begin 13 January.**

[\[TOP OF SECTION\]](#)

[\[TOP OF REVIEW\]](#)





## WASHINGTON

### Regulatory Developments & Other State Information

**PROPOSED REGULATION – NOXIOUS WEED LIST** – The Washington Department of Agriculture has proposed to update the state noxious weed list. The update will: (1) add dense-flower cordgrass (*Spartina densiflora*) and kudzu (*Pueraria montana* var. *lobata*) to the "A" List; (2) add Himalayan knotweed (*Polygonum polystachyum*) to the "B" List; (3) add myrtle spurge (*Euphorbia myrsinites* L.), common groundsel (*Senecio vulgaris*), and nonnative types of the common reed (*Phragmites australis*) to the "C" List; (4) change the control area for Japanese knotweed (*Polygonum cuspidatum*) and meadow knapweed (*Centaurea jacea* x *nigra*); and (5) move saltcedar (*Tamarix ramosissima*) from the "A" List to the "B" List. The Department does this on an annual basis to ensure it accurately reflects noxious weed control priorities and noxious weed distribution. Written comments are due 17 January 2003. For more information, contact Steve McGonigal at (360) 902-2053, or link <http://slc.leg.wa.gov/wsr/2002/21/02-21-084.htm>.

### AIR INFORMATION:

**FINAL RULE – APPROVAL OF REVISIONS TO STATE OPERATING PERMIT PROGRAM** – On 2 December 2002 (67 FR 71479), EPA approved revisions to Washington's Title V air operating permits program. The revisions amend the State's regulations for insignificant emissions units and other portions of the Title V regulations, and resolve a deficiency previously identified by EPA (67 FR 73). The approval is effective 3 January 2003. For further information, contact Jeff Kenknight, EPA at (206) 553-6641.

**FINAL REGULATION – PUGET SOUND CIVIL PENALTIES AND ADOPTION OF FEDERAL REGULATIONS** – The Puget Sound Clean Air Agency has amended its civil penalty regulations and emission standards. The amendments include: (1) an increase to the daily maximum civil penalty from \$13,663.00 to \$13,977.00 to adjust for inflation; and (2) adoption of federal NESHAPs and New Source Performance Standards published through 1 July 2002. The amendments were effective 3 November 2002. For more information, contact Dennis McLerran at (206) 689-4010, or link <http://slc.leg.wa.gov/wsr/2002/21/02-21-004.htm>.

**FINAL REGULATION – YAKIMA ADOPTION OF STATE AND FEDERAL RULES** – The Yakima Regional Clean Air Authority has adopted amendments to conform Regulation 1 to chapter 173-400 WAC, adopted 15 August 2001, and facilitate adoption into the State Implementation Plan. In that rulemaking, the Washington Department of Ecology adopted the following federal air rules: (1) updates to the Best Available Retrofit Technology provisions; (2) new MACT standards for marine tank vessel loading operations; and (3) new MACT standards for kraft, soda, sulfite and stand-alone semi-chemical pulp mills. The amendments were effective 1 December 2002. For more information, contact Les Ornelas at (509) 574-1410, or link <http://slc.leg.wa.gov/wsr/2002/21/02-21-082.htm>.

### Legislative Developments

The Washington legislature adjourned March 14. The environmental bills that were tracked during the session were summarized in the May Review. For more information on the 2002 legislative session, link <http://www.leg.wa.gov/wsladm>. The 2003 legislative session will begin 13 January.

[TOP OF SECTION]

[TOP OF REVIEW]